UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION

AARON HERNAN	DEZ
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Plaintiff,

v.

Case No. 2:16-CV-10854 Judge David Lawson Magistrate Judge Anthony P. Patti

HEIDI WASHINGTON, et al.,

Defendants.

ORDER STRIKING PLAINTIFF'S UNAUTHORIZED SUR-REPLY BRIEF (DE 24)

Plaintiff has filed a "Response to MDOC Defendants' Reply Brief," i.e., a sur-reply. (DE 24.) The sur-reply is rejected by the Court for several reasons: (1) E.D. Mich. LR 7.1(d)(1), which concerns briefs required and permitted, does not permit the filing of a sur-reply; (2) Plaintiff did not seek permission to file a sur-reply, but, in any case, I would have denied such a request, as the Court has an adequate record and the matter is already under advisement; and (3) my practice guidelines, which are publicly available on the Court's website, provide, in part: "Additional briefing, including sur-replies, will NOT be permitted unless requested by the Court. The Court will strike any improperly filed sur-replies or other briefing not contemplated by the Local Rules."

In accordance with this ruling, the Clerk of the Court SHALL strike

Plaintiffs' November 3, 2016 filing. (DE 24.)

IT IS SO ORDERED.

Dated: January 19, 2017 <u>s/ Anthony P. Patti</u>

Anthony P. Patti

UNITED STATES MAGISTRATE JUDGE

I hereby certify that a copy of the foregoing document was sent to parties of record on January 19, 2017, electronically and/or by U.S. Mail.

s/Michael Williams

Case Manager for the

Honorable Anthony P. Patti